

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Applications of)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No. BRCT-940407KF
)	
For Renewal of License of Station)	
WTVE(TV), Channel 51,)	
Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	
CORPORATION)	File No. BPCT-940630KG
)	
For Construction Permit for a)	
New Television Station On)	
Channel 51, Reading, Pennsylvania)	

To: Administrative Law Judge Richard L. Sippel

VOLUME I OF EXHIBITS

EXHIBITS 25-34

June 12, 2000

VOLUME I

- Exhibit 25 DEPOSITION OF WARREN HAGGERTY
OCTOBER 20, 1999, 10:05 A.M.**
- Exhibit 26 DEPOSITION OF SANDRA KISSINGER
OCTOBER 20, 1999, 11:50 A.M.**
- Exhibit 27 DEPOSITION OF LINDA WITMAN
OCTOBER 20, 1999, 12:50 P.M.**
- Exhibit 28 DEPOSITION OF PHYLLIS WATTS
OCTOBER 20, 1999, 2:55 P.M.**
- Exhibit 29 DEPOSITION OF RALPH TRAINER
OCTOBER 20, 1999, 3:55 P.M.**
- Exhibit 30 DEPOSITION OF RAY M. SCHACHT
OCTOBER 21, 1999, 9:55 A.M.**
- Exhibit 31 DEPOSITION OF JANE MEEKS SQUIBB
OCTOBER 21, 1999, 11:52 A.M.**
- Exhibit 32 DEPOSITION OF STANLEY J. McCARTY
OCTOBER 21, 1999, 1:58 P.M.**
- Exhibit 33 DEPOSITION OF THOMAS R. CALTAGIRONE
OCTOBER 21, 1999, 3:00 P.M.**
- Exhibit 34 DEPOSITION OF MONICA RUANO-WENRICH
OCTOBER 21, 1999 4:33 P.M.**

**Exhibit 25 DEPOSITION OF WARREN HAGGERTY
OCTOBER 20, 1999, 10:05 A.M.**

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re: Applications of : MM Docket No. 99-153
READING BROADCASTING, INC. :
For Renewal of License of : File No. BPCT-940407KF
Station WTVE (TV), Channel :
51, Reading, Pennsylvania :
and : File No. BPCT-940630KG
ADAMS COMMUNICATIONS :
CORPORATION :
For Construction Permit for :
a New Television Station :
to Operate on Channel 51, :
Reading, Pennsylvania :

DEPONENT: WARREN HAGGERTY

DATE AND TIME: Wednesday, October 20, 1999
at 10:05 a.m.

LOCATION: Comfort Inn
2200 Stacy Drive
Reading, Pennsylvania

Berks Court Reporting Service
By: Lori A. Dilks, RPR
12 Pacific Avenue
Sinking Spring, Pennsylvania
(610) 678-9984

COPY

1 APPEARANCES:

2 HOLLAND & KNIGHT, LLP
3 By: Thomas J. Hutton, Esquire
4 2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 10037-5564

5 Representing Reading Broadcasting, Inc.

6 BECHTEL & COLE, CHARTERED
7 By: Gene A. Bechtel, Esquire
8 1901 L Street, N.W., Suite 250
Washington, D.C. 10036

9 Representing Adams Communications

10
11 STIPULATION: It has been stipulated by and between
12 counsel that they waive the sealing of the transcribed
13 testimony by the witness, and the filing of the original
with the Court, and all objections, except as to form,
until the time of trial.

14
15 I N D E X

17 <u>WITNESS</u>	18 <u>EXAMINED BY</u>	19 <u>PAGE</u>
20 Warren Haggerty	Mr. Bechtel	3
	Mr. Hutton	9
	Mr. Bechtel	14

21 <u>NUMBER</u>	22 <u>DESCRIPTION</u>	23 <u>PAGE</u>
24 Haggerty 1	Notice of Deposition	3
25 Haggerty 2	Subpoena	3
	Programs/Issues Reports	10

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P R O C E E D I N G S

WARREN HAGGERTY

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

BY MR. BECHTEL:

Q. Good morning, Your Honor.

A. Good morning.

Q. My name is Gene Bechtel, and I'm counsel for Adams Communications Corporation. Mr. Hutton is with us. He's counsel for Reading Broadcasting. If my questions are unclear, please tell me, and I'll do what I can to fix them. If Mr. Hutton interjects, wait until we get through. And if you need a break, let us know. And we shall try to intrude on your morning just as little as possible.

(Whereupon, the Reporter marked the following exhibits for identification: Haggerty Exhibit No. 1, Notice of Deposition; and Haggerty Exhibit No. 2, Subpoena.)

BY MR. BECHTEL:

Q. Did you receive Exhibit 1?

A. Yes, I did.

Q. And did you receive Exhibit 2?

A. Yes, I did.

1 Q. Did you bring any documents with you?

2 A. I don't have any documents.

3 Q. How long have you lived in the Reading
4 area?

5 A. I was born and raised in Reading so I have
6 lived here my entire life.

7 Q. And during what period of time did you
8 serve as Mayor of Reading?

9 A. I served as Mayor from 1987 through 1995.

10 Q. Now, briefly -- I have a suspicion we could
11 probably talk at some length -- would you describe your
12 community or civic activities other than being Mayor?

13 A. Currently or prior to being Mayor?

14 Q. Actually, I would like it for sure during
15 the period 1989 to 1994 which is the time frame that we
16 are looking at.

17 A. Well, outside of being married now, I was
18 involved with the Boy Scouts of America. I served as
19 the Chairman of the Daniel Boone District for a number
20 of terms. I was on the Reading Phillies Advisory Board.

21 Q. I didn't hear that. The Reading?

22 A. The Reading Phillies Advisory Board. It's
23 a minor league baseball franchise here in town. I was
24 very active with the Pennsylvania League of Cities and
25 Municipalities. I helped out with the United Way

1 campaign. Again, I was -- you know, I was involved in a
2 lot of things. I'm trying to think of things that I was
3 officially a member or a board member of, but I
4 certainly worked with numerous community organizations,
5 with local schools, social clubs, the Police Athletic
6 League, YMCA, and I did those type of activities not in
7 an official capacity as a board member, but certainly I
8 was involved in any number of youth organizations and
9 social -- senior citizen organizations, social clubs, et
10 cetera.

11 Q. Do you know you're the second former Mayor
12 I've taken a deposition of within the last week?

13 A. Is that right?

14 Q. Not here.

15 Do you have a TV set in your home?

16 A. Yes, I do.

17 Q. In your office?

18 A. Yes, I do.

19 Q. Did you have one when you were Mayor in
20 your office?

21 A. Toward the end of my term, after we
22 renovated City Hall, we had a television in the office.

23 Q. During that time frame, '89 to '94,
24 describe approximately -- give me an idea of how much
25 television you watched and the kinds of things that you

1 would look at.

2 A. Well, let me just say that we have -- at
3 the time we had four children. We have five now. We
4 had four then. So there were a lot of -- a lot of my
5 evenings were taken up either with official mayoral
6 engagements or involved with my kids' activities so I
7 didn't really watch an awful lot of television really
8 except maybe in the morning I would catch a little bit
9 of the Today Show or Good Morning America before I left
10 for the office.

11 I was a pretty religious watcher of the
12 McNeil Lehr News Hour. I certainly tried not to miss
13 that if I was around. And if the opportunity presented
14 itself later in the evening after the kids went to bed,
15 I would watch network television, you know, the three
16 major networks.

17 Occasionally, if my wife and I had a quiet
18 time, maybe we'd catch a movie that was on network
19 television or what have you or rent a video. But
20 overall, I didn't have the opportunity to watch an awful
21 lot of television because we were always on the go.

22 Q. During that time frame, did you watch
23 Channel 51?

24 A. If I did, I don't recall what type of
25 programming they were airing at the time. So if it was

1 the Home Shopping Network period, the answer is no.

2 Q. That was it.

3 A. No. I don't watch any of the Home Shopping
4 channels.

5 Q. Based on your personal knowledge and
6 observation during the five-year period of August 1,
7 1989 to August 1 of 1994, excluding the Home Shopping
8 Network program, how did WTVF serve the needs and
9 interests of Reading?

10 A. Well, I did a couple of television shows
11 there. It was called The Minute with the Mayor. There
12 was some type of public service type programming that
13 they did. I remember doing a number of interview
14 formats at TV 51.

15 Like I said, the one thing that we did was
16 called The Minute with the Mayor, and what we would do
17 was maybe shoot three or four segments on a topic, and
18 there was a host and he or she would ask me a question
19 and I would talk for a minute or so, and they, I guess,
20 aired those periodically. I don't know how it was
21 actually aired.

22 And then I think that we also -- I remember
23 doing a longer interview format that may have taken on
24 more of a discussion, give and take, between the host
25 and I, and that was probably a half hour program.

1 Again, I don't know when or how it aired.

2 I'm not positive, but they may have
3 broadcast the downtown Christmas parade. I know one of
4 the local TV groups did, whether it was TV 51 or BCTV, I
5 don't -- or Berks Cable, for that matter. I don't
6 really recall.

7 And I believe they had -- I don't know if
8 this falls under the specifics of your question. I
9 think they also had sort of a production company that
10 did some commercials, but I'm not really positive about
11 that.

12 Q. The half hour program, do you recall the
13 subject, the topic there?

14 A. Well, it was some type of public affairs
15 programming. I don't remember exactly what the topic
16 was, but whatever the issues of the day were. It was an
17 interview format where -- it was not a -- it was not an
18 antagonistic type program. It gave me the opportunity
19 to address whatever the issues of the day were, and
20 there was not -- it was just -- my recollection, it was
21 just the host and myself. There wasn't a panel
22 discussion or anything like that.

23 As I said, it wasn't combative or
24 controversial, but it allowed for me to talk about the
25 issues of the day.

2
1 Q. Thank you.

2 A. Okay.

3 BY MR. HUTTON:

3
4 Q. I would like to follow up on one thing you
5 just said, that you think they may have had a production
6 company that did some commercials.

7 A. Right.

8 Q. By that, do you mean public service
9 announcements or announcements for commercial
10 establishments?

11 A. When I was running for re-election, we had
12 the -- an opportunity to raise enough money to put
13 together television commercials, and I think it was TV
14 51 that came in and filmed those commercials.

15 I remember -- I remember there was a
16 television crew in my office and we did that, and I
17 thought it was TV 51 that did it, but sometimes in my --
18 whether it was TV 51 or Berks Cable or one of the other
19 advertising groups in town, I don't remember.

20 Q. And do you remember who at TV 51 you may
21 have interacted with from the period of August 1 of 1989
22 through July 31 of '94?

23 A. Jeff Miller was certainly involved in The
24 Minute with the Mayor programs. And there were other
25 interviewers, but I don't remember their names off the

1 top of my head. But I have known Jeff for a number of
2 years so I'd certainly remember him. As I recall, he
3 was -- the last times that I did it, he was there and he
4 was doing the interviews.

5 Q. And to your recollection during that time
6 period, was Mr. Miller active in civic activities on
7 behalf of the station?

8 A. I don't know what his role was at the
9 station. I guess he was Station Manager, but I don't
10 even know that for sure.

11 Q. Are you familiar with any local weather or
12 news programming that WTVE might have aired during that
13 time period other than The Minute with the Mayor?

14 A. They may have attempted to do local news.
15 I know that different groups have tried to do that over
16 the years with varying degrees of success. So they may
17 have done a news program. But, again, I don't really --
18 I didn't watch that much television then, and I don't
19 get to watch that much television now, so...

20 Q. I'd like you to -- I'd like to mark this as
21 Exhibit 3, is it?

22 (Whereupon, the Reporter marked Haggerty 3
23 for identification, Programs/Issues Reports.)

24 BY MR. HUTTON:

25 Q. Mr. Haggerty, this document consists of

1 excerpts of WTVE's quarterly issues and programs reports
2 for the period -- well, in this case it's from the
3 second quarter of 1992 to the third quarter of 1994.

4 On the third page of this document, there
5 is a reference to a public service announcement called
6 Working for a Greater Reading. Do you recall that?

7 A. Yes. Working for a Greater Reading was a
8 community promotion campaign that we put together out of
9 the Mayor's office. And it was a multi-media campaign
10 designed toward increasing awareness and good feelings
11 about the city.

12 I had involvement with that campaign,
13 obviously, as the Mayor, but it was really handled by
14 some folks on my immediate staff or within our planning
15 bureau. And as I think I mentioned, it was multi-media.
16 Now that I see this document in front of me, I recall
17 that we did do some television spots with it.

18 Q. I'm not going to hold you to the schedule
19 of announcements. I know you don't know exactly when
20 the spots ran. Flipping back a couple of pages from
21 there, there's a narrative page and at the bottom of
22 that page is a description of Working for a Greater
23 Reading. Does that accurately describe what you recall
24 about the public service announcement that WTVE aired?

25 A. Yes. In fact, now that you show me this --

3

1 I had forgotten about it -- I remember we -- I think we
2 shot this at the Pagoda with the city behind my back,
3 and we talked about working together, which was the
4 theme of the program, Working Together for a Greater
5 Reading and, yeah, I do remember that.

6 Q. Do you happen to recall any of the other
7 announcements that are described in these reports?

8 A. (Witness reviewed document.)

9 Well, again, I didn't really watch that
10 much television but certainly the Museum Council, that
11 probably was in conjunction with a large fund raising
12 campaign that the Museum had pursued a number of years
13 ago which has raised significant dollars to enhance the
14 Reading Public Museum and to expand the Museum. So I
15 guess I sort of remember something with that because I
16 was peripherally involved with that campaign.

17 Q. Flipping back several pages, there's
18 another narrative page with the No. 34 at the bottom.

19 A. Okay.

20 Q. Do you happen to recall any of those
21 announcements or programs described on that page other
22 than Working for a Greater Reading?

23 A. The Public Safety Ads with Councilman
24 McCracken, I don't believe that I ever saw them but I
25 knew that the Councilman was working on some PSA's. I'm

4

1 surprised he only did two. Off the record.

2 (Discussion was held off the record.)

3 BY MR. HUTTON:

4 Q. There's a narrative page that has the No. 8
5 at the bottom -- I think it's the second to last page --
6 and that describes Minutes with the Mayor. And I think
7 the description carries over to the next page, perhaps.
8 I'm not sure. There is a Page 13 that also describes
9 Minutes with the Mayor.

10 Would you look at those and tell me if
11 those accurately describe your recollection of those
12 shows?

13 A. (Witness reviewed document.)

14 Yes. Dan Bendetti, I see his name. I
15 remember that name now that -- I had said there were
16 other people in addition to Jeff Miller. Dan Bendetti,
17 that name rings a bell.

18 Q. There's another narrative page -- I'm sorry
19 to flip back and forth -- there's another narrative
20 page, ten pages in from the beginning, that contains a
21 reference to Switchback Gravity Railroad. And I would
22 like to ask you if you recall that program or that
23 campaign?

24 A. (Witness reviewed document.)

25 I'm not familiar with that.

1 MR. HUTTON: I have nothing else.

2 BY MR. BECHTEL:

3 Q. With all of these announcements, did anyone
4 say that you looked like George Will?

5 A. I've heard George Will, and I've also heard
6 Bill Gates. Either way, I'd be a lot better
7 financially.

8 Q. I do have one final question on the
9 subject. With regard to weather programs, during this
10 time frame I believe there was a serious earthquake here
11 in town.

12 A. There was.

13 Q. Do you recall where you got news about the
14 earthquake from?

15 A. Well, at the moment that the earthquake hit
16 I was at a retirement dinner for a Councilman, and we
17 were -- when I say we, I mean virtually the entire
18 administration, including the police and fire chief,
19 were at the retirement dinner, so I got the news very
20 immediately.

21 And we felt it, and the police and fire
22 administrators, being at the dinner, immediately were on
23 the phones and on their radios so that's how we found
24 out about the earthquake. We were at the right place at
25 the right time as much as you can be at the right place

1 and the right time if there's an earthquake occurring.

2 Q. Was there television news coverage of that
3 event?

4 A. Certainly.

5 MR. BECHTEL: That's all I have.

6 (Whereupon, the deposition concluded at
7 10:30 o'clock a.m.)
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I have read my deposition and it is true and correct except for any corrections listed on the attached Errata Sheet, which I have also signed.

DATE: _____

WARREN HAGGERTY

I, Lori A. Dilks, the officer before whom the deposition of WARREN HAGGERTY was taken, do hereby certify that WARREN HAGGERTY, the witness whose testimony appears in the foregoing deposition, was duly sworn by me on October 20, 1999, and that the transcribed deposition of said witness is a true record of the testimony given by him; that the proceedings are herein recorded fully and accurately to the best of my ability; that I am neither attorney nor counsel for, nor related to any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of any attorney or counsel employed by the parties hereto or financially interested in this action.

2110

Notary Public in and for
the Commonwealth of Pennsylvania

My Commission expires
September 29, 2003

BERKS COURT REPORTING SERVICE

TECHTEL & COLE
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RECEIVED

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

SEP 28 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

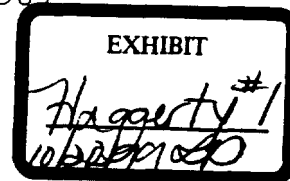
In re Applications of)	MM Docket No. 99-153
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READING BROADCASTING, INC.)	File No. BRCT-940407KF
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For Renewal of License of)	
Station WTVE(TV), Channel 51)	
Reading, Pennsylvania)	
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and)	
)	
ADAMS COMMUNICATIONS CORPORATION)	File No. BPCT-940630KG
)	
For Construction Permit for a New)	
Television Station to Operate on)	
Channel 51, Reading, Pennsylvania)	

To: Magalie Roman Salas, Secretary
for direction to
The Honorable Richard L. Sippel
Administrative Law Judge

NOTICE BY ADAMS OF DEPOSITION
UPON ORAL EXAMINATION

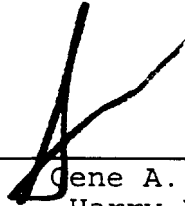
Adams Communications Corporation ("Adams") gives notice of its intent to take the deposition of Warren Hagerty, 405 S. Tulpehocken Road, Bern Twp., Reading, PA 19601, upon oral examination on Wednesday, October 20, 1999, commencing at 10 a.m. at the Comfort Inn, 2200 Stacy Drive, Reading, PA. We anticipate the deposition will be concluded within one hour. This is one of several depositions being taken during the period Wednesday, October 20, 1999, through Saturday, October 23, 1999. If the date and time cannot be accommodated, please contact Simone Parrish at 202-833-4190 collect, who will make an effort to revise the schedule to accommodate you. The subject of the deposition is your knowledge of programming and operations of station WTVE, channel 51, during the period August 1, 1989

READING EXHIBIT 25
PAGE 18



through July 31, 1994. The deposition will be taken before a court reporter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Gene A. Bechtel', is written over a horizontal line.

Gene A. Bechtel
Harry F. Cole

Bechtel & Cole, Chartered
Suite 250, 1901 L Street, N.W.
Washington, D.C. 20036
Telephone 202-833-4190
Telecopier 202-833-3084

Counsel for Adams Communications
Corporation

September 28, 1999

CERTIFICATE OF SERVICE

I certify that I have this 28th day of September 1999 caused copies of the foregoing NOTICE BY ADAMS OF DEPOSITION UPON ORAL EXAMINATION to be hand delivered to the offices of the following:

The Hon. Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

James Shook, Esq.
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Thomas J. Hutton, Esq.
Holland & Knight, L.L.P.
Suite 200, 2000 K Street, N.W.
Washington, D.C. 20006
Counsel for Reading Broadcasting, Inc.

A handwritten signature in black ink, appearing to read "Simone Parrish", is written over a horizontal line.

Simone Parrish
Legal Assistant

SUBPOENA

ORIGINAL - To be executed by the person who effects service and returned to the Secretary of the Commission.

UNITED STATES OF AMERICA

FEDERAL COMMUNICATIONS COMMISSION

IN THE MATTER OF
READING BROADCASTING, INC.
For Renewal of License of
Station WTVE(TV), Channel 51,
Reading, Pennsylvania

MM Docket No. 99-153

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To Warren Hagerty, 405 S. Tulpehocken Road, Bern Twp.,
Reading, Pennsylvania 19601 GREETINGS:

YOU ARE HEREBY ORDERED under penalty of law to appear before the Federal Communications Commission or
duly authorized notary public at the Comfort Inn, 2200 Stacy Drive
(Name and official title of person authorized to take depositions)

in the city of Reading, PA on the 20th day of October, 1999,
at 10 o'clock A.M., of that day, to testify in the above-captioned matter and to bring with you and to
produce then and there the following books, papers, and documents: See attached

EXHIBIT

#2
Hagerty
10/20/99

BY ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION, this twenty-eighth
September, 1999.
Administrative Law Judge

NOTICE: - Witness fees and mileage for attendance under this subpoena for service hereof are to be paid by the party at whose instance the witness is subpoenaed, and every copy of this summons for the witness must contain a copy of this notice.

Service of subpoenas may be made by any citizen of the United States over the age of 18 years who is competent to be a witness, and is not a party to or in any way interested in the proceeding.

PROOF OF SERVICE ON REVERSE SIDE.

READING EXHIBIT 25

PAGE 21

FCC Form 766
October 1985

Attachment 1:

DOCUMENTS TO BE PRODUCED

All documents of any kind or description relating to the deponent's knowledge of or familiarity with the operations, including the programming, of Station WTVE(TV), Reading, Pennsylvania, during the period August 1, 1989 through July 31, 1994.